

TERRENI

LAW FIRM, LLC

CHARLES L.A. TERRENI
ATTORNEY AT LAW

1508 LADY STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE (803) 771-7228
EMAIL CHARLES.TERRENI@TERRENILAW.COM
WWW.TERRENILAW.COM

March 9, 2021

The Honorable Jocelyn G. Boyd
Chief Clerk and Administrator
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

Re: Docket No. 2020-247-A - Public Service Commission Review of South Carolina
Code of Regulations Chapter 103 Pursuant to S.C. Code Ann. Section 1-23-120(J)

Dear Ms. Boyd:

Please accept these comments on behalf of the SouthWest Water Company (SWWC) utilities¹ regarding the Commission's review of S.C. Code Ann. Regs. 103-500 et seq. and 103-700 et seq.: Sewerage Utilities and Water Utilities.

A utility must send a customer two notices by certified mail before discontinuing sewer service for non-payment. S.C. Code Ann. Reg. 103-535.1. SWWC believes the requirement that the mailed notices be certified is unnecessary, inefficient, and more costly. Allowing utilities to give notice of discontinuance by regular mail, as allowed for water service in S.C. Code Reg. 103-735.1, would be more efficient and more cost effective.

Under S.C. Code Ann. Regs 103-535.H and 103-535.1, a utility must give a 30-day notice by certified mail followed by a second notice, by certified mail, that it will discontinue service in between 10 and 30 days without further notice. In SWWC utilities' experience, most certified mail notices are returned without delivery because the customer either refused delivery or did not pick them up. In most cases, the utility charges a \$25.00 fee for each notice.²

The forty-to-sixty-day delay between the initial notice and discontinuance often results in customers incurring two additional unpaid bills before disconnection. Under this circumstance, customers may have difficulty reconnecting because they have accumulated a sizeable outstanding balance plus \$50.00 in certified mail fees. A shorter period would keep customers from falling so far behind on their bills and make it easier for them to maintain service.

¹ South Carolina Water Utilities-CUC, Inc. Palmetto Utilities, Inc., Palmetto Wastewater Reclamation, LLC, Kiawah Island Utility, Inc., T.J. Barnwell Utility Co., and Harbor Island Utilities, Inc.

² See e.g. Order 2020-561, Docket No. 2019-281-S.

The Honorable Jocelyn G. Boyd

March 9, 2021

Page 2 of 2

For these reasons, the SWWC utilities recommend aligning the language of S.C. Code Ann. Reg. 103-535.1 with S.C. Code Ann. Reg. 103-735.1, which allows notice of discontinuance for non-payment upon ten days' notice by regular mail.

The SWWC utilities also recommend changing the language of S.C. Code Ann. Reg. 103-510 as follows:

All records required by these rules are necessary for the administration thereof, shall ~~be kept within an office located~~ **be available for inspection** in this State, unless otherwise specifically authorized by the Commission. These records shall be available for examination by the ORS or its authorized representatives at all reasonable hours.

S.C. Code Regs. 103-510

The proposed change recognizes that utilities keep records electronically instead of in a physical location.

Thank you for the opportunity to offer these comments.

With best wishes, I am,

Sincerely yours,

s/ Charlie Terreni

Charles L.A. Terreni

c: Counsel of record